REMARKS

The office action and the references cited therein have been carefully considered together with the present application and claims 34, 40 and 46 have been amended to place claims 34 and 40 in independent form and to more clearly define claim 46.

As applicants have repeatedly emphasized, those skilled in the art of routers know that there are important differences between plunge routers and fixed base routers, as well as hybrid routers which have a common motor unit that can be inserted into a fixed base as well as a plunge router base. The present application is directed to a hybrid router. If the examiner performs a Google or similar search on hybrid or combination routers, it is clearly evident that there are many manufacturers in the tool business that sell such hybrid routers. No hybrid router products have been located by such a search conducted by the undersigned which have handles attached to anything other than the plunge base and fixed base part of the combination. Stated in other words, none of the hybrid routers that have been located have ever had a removable motor assembly where the operating handles are attached to the motor assembly housing.

The examiner has now rejected claim 32 as being anticipated by Tomayko, (as contrasted with being obvious over Tomayko in view of Long in the prior rejection). This rejection has less merit than the prior rejection and is respectfully traversed. Clearly, Tomako fails to anticipate, teach or suggest claim 32. Tomako does not have a motor assembly having a housing containing a motor for driving an output shaft to which

a bit holding mechanism can be attached, operating handles attached to said housing for use by an operator and operating controls for operating said motor. Tomako has a fixed base assembly with handles 2 as shown in Fig. 1. It has a motor unit 10 which can be unscrewed from the base, but clearly the *base* has the handles 2.

The examiner attempts to equate a simple cord 11 (the 11 being removed from the examiner's insert in the office action) and the examiner attempts to state that the *cord* is an operating handle which is not only bizarre, but incorrect and grossly misleading. One of ordinary skill would know, even absent the explicit description in the specification, that the cord is a cord and that you would not attempt to operate the router by holding onto the cord 11. The handles 2 are located near the surface which is being worked on and would provide increased stability that would not be present if one were to attempt to guide a router during operation by holding onto the cord 11.

The examiner then attempts to state that "there is no recitation to a plurality of handles, merely handles." This is also a peculiar statement. There can be no dispute that handles as set forth in the claim means plural, which is more than one, and therefore is a plurality of handles,. To contend that the word "handles" means one handle is simply inane and contrary to common usage in the English language. Reconsideration and withdrawal of this rejection is also respectfully requested.

The examiner now rejects claims 32, 33, 38, 39 and 44-48 under 35 U.S.C. 103(a) as being unpatentable over Rusconi in view of Long. It is submitted that Rusconi is no better as a primary reference than was Tomako. In the rejection of claims 32, 33, 44

and 45, which are claims having a fixed base, the examiner states that Rusconi has a fixed base assembly in which said motor assembly can be removably installed. (It is noted that in the subsequent rejection of claim 38 which is directed to a plunge base assembly, the examiner states that Rusconi has a plunge base assembly. Which is it—a fixed base assembly or a plunge base assembly? It can't be both.)

With regard to the rejection of the fixed base claims 32 and 44, Rusconi simply does not have a motor assembly having a housing containing the motor for driving an output shaft to which a bit holding mechanism can be attached, operating handles attached to said housing for use by an operator and operating controls for operating said motor. Rusconi discloses a plunge-type router which is actually its title PLUNGE TYPE ROUTER, and the support plate 3 is configured to have bores 17 for receiving pillars 2 with the handles being attached to the support plate 3. While the "motor pack 4" is carried by a support plate (column 3, lines 15-16) and support plate 3 comprises twin bores 17 which receive support pillars 2. Bore 18 receives a motor housing and is so dimension that the diameter measured within then perimeter 19 of the bore when the clamp bolt 20 is loose and slightly exceeds the diameter of the motor housing thereby allowing insertion and removal of the motor housing. Tightening of the clamp bolt 20 reduces the diameter of bore 18 thus clamping the motor housing to the support plate. (Column 3, lines 44-51).

Clearly the motor housing 4 does not have handles; the support plate 3 has handles attached to it. Therefore, Rusconi fails to teach or suggest the motor assembly as

claimed in claim 32 and as claimed in claim 44. Long fails to supply the basic deficiency of Rusconi and in fact is just another plunger router, albeit one that has "ergonomic" handles.

All of the examiner's discussion about how one or the other could be modified to obtain applicants' claimed structure is simply hindsight reconstruction inasmuch as there is no motivation whatsoever to make such modifications. Long and Rusconi have router designs which presumably operate in the manner described and need no modifications of the type necessary to even approach applicants' structure. There is also no teaching or suggestion or motivation to make any modifications except those which are necessary to formulate the rejection.

In other words, the applicants' claims were used to provide whatever motivation for reconstruction or modification as well as the combination of such modified structure. The examiner attempts to conjure a rejection justification by stating that because the references are from similar art and deal with a similar problem which is presumably depth control of a plunge base router, it would have been obvious at the time of the invention to one having ordinary skill in the art to rearrange Rusconi such that Rusconi's handles were attached to the motor housing so as to efficiently control and maneuver the router and to provide Rusconi with a plunge locking mechanism for holding the router at a desired depth as taught by Long.

This is nonsense. The examiner is stating that to move the handles 11 of Rusconi from the support plate to a higher elevation on the motor housing 4 would

contribute to efficient control and maneuverability. This is nonsense because stability and efficient control is more easily achieved by having the handles nearer the work surface. Moving them up serves no useful purpose and most likely would diminish effective control of the router

With regard to claim 38, the examiner states that Rusconi has a plunge base assembly (as contrasted with a fixed base assembly for the claim 32 rejection), but the claim clearly requires a motor assembly having a housing containing a motor for driving an output shaft to which a bit holding mechanism can be attached, operating handles attached to said housing for use by an operator and operating controls for operating said motor, and a plunge base assembly having a motor carrier assembly and a sub-base structure . . . said plunge base assembly having a motor assembly locking mechanism for removably locking said motor assembly in said motor carrier assembly.

Clearly, Rusconi does not have handles attached to the motor assembly as previously discussed. Moreover, Long does not have a motor assembly that is removable from a motor carrier assembly of a plunge base assembly and therefore the combination of Rusconi and Long fails to teach or suggest this claim. The suggested reconstruction of Rusconi is simply improper hindsight reconstruction because there would be no reason or motivation to embark on such reconstruction.

The subject matter of claim 38 has been added to place claim 40 in independent form and the subject matter of claim 32 has been added to claim 34 to place it in independent form.

Since the dependent claims necessarily include the features of the claims from which they depend and in addition recite additional features or functionalities not found in those claims, it is believed that all dependent claims that are presently pending in the application are also in condition for immediate allowance.

For the foregoing reasons, reconsideration and allowance of all claims that are pending in the application is respectfully requested.

Respectfully submitted,

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